IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 331 of 2004 (S/B)

Dr. R.K. Shrivastava,
S/o Dr. D.K. Lal,
Presently posted as Dy. Commissioner,
Enforcement, Trade Tax, Haldwani,
District Nainital & others. ……. Petitioners

Versus

Union of India,
Through Secretary, Personnel,
Public Grievance & Pensions,
Govt. of India, New Delhi & others. ……. Respondents

Ms. Menka Tripathi, learned counsel on behalf of the petitioners.
Mr. K.P. Upadhyaya, learned Brief Holder for the State of Uttaranchal.
Ms. Anjali, learned Addl. Standing Counsel (Central Govt.).
Ms. Beena Pandey, learned Standing Counsel (U.P. Govt.).

Coram: Hon. V.S. Sirpurkar, C.J.
Hon. Rajesh Tandon, J.

(Per Hon'ble the Chief Justice)

1. Heard Ms. Menka Tripathi, learned counsel appearing on behalf of the petitioners, Mr. K.P. Upadhyaya, learned Brief Holder appearing for the State of Uttaranchal, Mr. Anjali, learned Addl. Standing Counsel (Central Govt.) and Ms. Beena Pandey, learned Standing Counsel (U.P. Govt.).

2. In this writ petition, the prayer is for quashing of the order dated 18.10.2004, whereby all the seven petitioners were ordered to be released by the State of Uttaranchal in favour of the State of U.P. as they had given their option in favour of the State of U.P. At that time, when the writ petition was filed, there was no final allotment as intimated to the petitioners.

3. The Central Government has taken a stand that out of the seven petitioners, barring petitioner No. 2, all the other petitioners have now finally been made over to the State of U.P. and they have joined in pursuance of their final allotment also. In so far as the petitioner No. 2 is concerned, the learned Brief Holder Mr. K.P. Upadhyaya makes a

statement that the petitioner No. 2 has been finally allotted to the State of Uttaranchal. Learned counsel for the petitioners has no objection to this final allotment of petitioner No. 2 in the State of Uttaranchal.

4. In that view, there will be no necessity to proceed further with this writ petition and the writ petition is disposed of as infructuous on the basis of the statements made.

(Rajesh Tandon, J.)
20.11.2004

(V.S. Sirpurkar, C.J.)
20.11.2004

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